GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – PR&RD Department – Departmental proceedings against **Sri M. Eraswamy,** the then Executive Engineer, PRI Division, Narsaraopet (Retired as Superintending Engineer, PR on 30.06.2024) – Sanction under Rule 9 of A.P. Revised Pension Rules, 1980 – Orders - Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.II) DEPARTMENT

G.O.RT.No. 512 **Dated: 12-09-2024**

Read the following :

1. Circular Memo No.993083/FIN01-HRCLI/9/2019- HR-III, Finance (HR.III Pension) Department, Dt:15.03.2020
2. Orders of the Hon'ble High Court dt: 25.10.2021 in WP No. 24401/2021 filed by Sri M.Chinna Venkata Rao, R/o. Guntur District.
3. CC No. 472 of 2022 filed by Sri M. Chinna Venkata Rao, R/o. Guntur District.
4. Govt. Memo No.1769962/Vig. II/2022-1, PR&RD (Vig. II) Dept. dt: 07.09.2023.
5. From the ENC,PR, Letter No. Vig. III (1)/1889/2022, dt: 19.08.2024.

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ORDER:

In the reference 2nd read above, the Hon'ble High Court of A.P., have directed the respondents to clear the bills of the Writ Petitioner within a period of four (4) weeks from the date of receipt of their orders. For non-implementation of the same, the petitioner filed CC.No.472/2022.

2. During the course of examination of matter together with material made available, it has been come to notice of the Government that the 1st Vigilance & Quality Control Sub-Division, Narsaraopet conducted inspection on 25.04.2019 on the two works executed by the Writ Petitioner viz., "Pucca internal roads / streets including drainage system and culverts within village under convergence funds at ST Locality-1 in Atchaiahpalem village of Rompicherla Mandal for the Work ID No. 0770540-190090**80012** with an estimated cost of Rs.15.00 lakhs" and another work "Pucca internal roads / steers including drainage system and culverts within village under convergence funds at ST Locality-1 in Atchaiahpalem village of Rompicherla Mandal for the Work ID No. 07705402101008**0018** with an estimated cost of Rs.20.00 lakhs" and no recovery proposed. Whereas the 2nd Vigilance & Quality Control Inspection Team ie, Deputy Executive Engineer, JQCO, MGNREGS and Team, Guntur who conducted inspection on 03.08.2020 have conducted tests on above 2 works and reported that longitudinal cracks are observed, CC pavement extracted and tested for compressive strength and the average compressive strength is 9.71 N/mm^2 and 6.10 N/mm^2 respectively and strength is < 15.0 N/sq.mm and the work is rejected and proposed recovery of Rs.10,25,213/- & Rs. 17,27,072/- respectively.

3. In the reference 5th read above, the Engineer-in-Chief, Panchayat Raj, has furnished report and informed among that Sri M. Eraswamy, Superintending Engineer, PR (retired on 30.06.2024), while he was working as Executive Engineer, PRI Division, Narsaraopet (Retired as SE, PR) had allowed inferior quality of the above (2) works thereby caused loss to the Government.

PTO.,

4. In the reference 1st read above, the Finance (HR.III Pension) Department in their Circular Memo No.993083/FIN01-HRCLI/9/2019- HR-III, Dt:15.03.2020) have issued a clarification to Rule 9(2)(b)(ii) of A.P. Revised Pension Rules, 1980 that "the date of occurrence of the event is always the date on which the effect of the event is felt or found out in Rule 9(2)(b) of A.P. Revised Pension Rules, 1980 (as per the judgment given by the Hon'ble High Court in WP No.38901 of 2017).

5. Government have examined the matter and observed that through the WP No.24401/2021, the matter has been brought to the notice of the Government (Competent Authority) ie., came to light in the year 2021. As such, the date of incident is within four years limitation under A.P. Revised Pension Rules,1980 read with the Finance (HR.III Pension) Department Circular Memo No. 993083/FIN01-HRCLI/9/ 2019- HR-III, Dt:15.03.2020.

6. Now, therefore, sanction is accorded under sub-clause (i) of clause (b) of sub-rule (2) of Rule 9 of the AP Revised Pension Rules, 1980 read with clarification issued reference 1st read above to initiate departmental proceedings against the said Sri M. Eraswamy, the then Executive Engineer, PRI Division, Narsaraopet, Guntur District (Retired as Superintending Engineer, PR on 30.06.2024)

7. It is further directed that the said departmental proceedings shall be conducted in accordance with the procedure laid down in Rule 20 of the A.P.C.S. [C.C&A] Rules, 1991.

8. The receipt of this G.O. may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Engineer-in-Chief, Panchayat Raj, A.P., Vijayawada.
Sri M. Eraswamy, the then Executive Engineer, PRI Division, Narsaraopet (Retired as SE, PR)
(**through** the Engineer-in-Chief, Panchayat Raj, A.P, Vijayawada) (with a request to serve the order on the individual and furnish the served copy to Govt.,)

Copy to:-

The Secretary to Vigilance Commission, A.P. Vigilance Commission, Velagapudi.
The PR&RD (Estt. I) Department.
SF/SC.

//FORWARDED :: BY ORDER//

SECTION OFFICER